

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ROBERT LIRIANO,

Plaintiff,

-v-

CIVIL ACTION NO. 23 Civ. 2829 (JAV) (SLC)

MENACHEM OVADIA, et al.,

ORDER

Defendants.

SARAH L. CAVE, United States Magistrate Judge.

Attorney David Pretter has filed a motion for the Law Office of Alan J. Sasson, P.C. (the “Firm”) to withdraw as counsel for Defendants Menachem Ovadia, Moti Mizrahy, and Sigalit Mizrahy (collectively, “Defendants”). (ECF No. 34 (the “Motion”)). In support of the Motion, which Mr. Pretter has served on Defendants (see ECF No. 36), Mr. Pretter claims that a conflict of interest prevents his Firm from continuing to represent Defendants. (ECF No. 34 at 2).

To permit a ruling on the Motion, the Court orders as follows:

1. By **Friday, December 20, 2024**, Mr. Pretter shall:

- a. File a letter advising whether his Firm will assert a retaining or charging lien (see Loc. Civ. R. 1.4);
- b. Serve Defendants with a copy of this Order and file proof of service on the docket.

2. By **Friday, January 3, 2025**, Defendants shall file any response to the Motion.

Mr. Pretter is directed to ensure that any response by Defendants is/are filed on the docket.

Defendants are advised that, by law, corporations cannot proceed pro se. See Jacobs v. Pat. Enf't Fund, Inc., 230 F.3d 565, 568 (2d Cir. 2000). Accordingly, in the event the Motion is granted, Defendants' failure to retain new counsel may lead to entry of a certificate of default and a default judgment. See Fed. R. Civ. P. 55(a).

Dated: New York, New York
December 16, 2024

SO ORDERED.



SARAH L. CAVE
United States Magistrate Judge